

COUNTY OF KAUAI  
Minutes of Meeting  
**Open Session**

Board/Committee:	<b>LIQUOR CONTROL COMMISSION</b>	Meeting Date	<b>February 1, 2018</b>
Location	Mo'ikeha Building, Meeting Room #3	Start of Meeting: 4:00 p.m.	End of Meeting: 4:10 p.m.
Present	Chair William Gibson, Vice Chair Paul Endo; Members: Shirley Akita, Maryanne Kusaka, Gerald Matsunaga, and Gary Pacheco Also: Liquor Control Staff: Director Gerald Rapozo, Private Secretary Cherisse Zaima; Deputy County Attorney Nicholas Courson		
Excused	Jean Iida		
Absent			

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SUBJECT	DISCUSSION	ACTION
<b>Call To Order</b>		Chair Gibson called the meeting to order at 4:00 p.m. with 6 members present, constituting a quorum.
<b>Roll Call</b>	Director Rapozo called roll, noting 6 members were present.	
<b>Approval of the Agenda</b>		Mr. Matsunaga moved to approve the agenda. Mr. Pacheco seconded the motion. Motion carried 6:0.
<b>Approval of the Minutes</b>	<u>APPROVAL OF MEETING MINUTES:</u>  Open session minutes of January 18, 2018	Ms. Kusaka moved to approve the minutes. Ms. Akita seconded the motion. Motion carried 6:0.
<b>1.</b>	<u>DIRECTOR'S REPORT:</u>  a) <u>INVESTIGATORS' REPORTS</u>	

	<p>b) <u>INCOMING COMMUNICATIONS:</u>  (1) From Avid Marketing Group  (2) From Sweepstakes Consulting, LLC  (3) From Strike &amp; Techel</p> <p>c) <u>OUTGOING COMMUNICATIONS:</u>  (1) To Avid Marketing Group  (2) To All Wholesale Licensees</p> <p>d) <u>EMPLOYEES IN LICENSED PREMISES:</u>  Managers and Assistant Managers – See Attachment</p> <p>e) <u>ACTIONS OF THE DIRECTOR:</u>  (1) KUKUIULA STORE  (2) TAHITI NUI  (3) WRANGLER’S RESTAURANT  (4) NAWILIWILI YACHT CLUB  (5) ST. MICHAEL’S AND ALL ANGELS EPISCOPAL CHURCH  (6) WEST KAUAI BUSINESS AND PROFESSIONALS ASSOCIATION</p> <p>f) <u>INFORMATIONAL MATTERS:</u></p>	<p>Mr. Pacheco moved to accept Items 1(a) through 1(f). Mr. Endo seconded the motion. Motion carried 6:0.</p>
2.	<p><u>TRANSFER OF LIQUOR INVENTORY:</u></p> <p><u>MNS, Ltd. dba ABC Store #930:</u> Request permission to transfer liquor inventory, per list, from MNS, Ltd. dba ABC Store #930 to MNS, Ltd. dba Island Country Markets located at 4-484 Kūhi‘ō Highway, Kapaa, Kauai, Hawaii.</p>	<p>Mr. Endo moved to approve the transfer of liquor inventory. Ms. Kusaka seconded the motion. Motion carried 6:0.</p>

3.	<p><u>CHANGE OF LICENSEE NAME:</u></p> <p><u>WAL-MART STORES, INC.:</u> Change of licensee name from Wal-Mart Stores, Inc. to Wal-Mart, Inc. effective February 1, 2018.</p>	<p>Ms. Akita moved to accept the change of licensee name. Mr. Matsunaga seconded the motion. Motion carried 6:0.</p>
4.	<p><u>PERMANENT INCREASE OF PREMISES:</u></p> <p><u>BULL SHED RESTAURANT:</u> Request for permanent increase of premises to include the outside lanai of the restaurant which will add a total of 50 seats enclosed by planter boxes; Pool side service for hotel guests which is within a gated area; Fire pit that will include a total of 8 seats. All areas will be monitored by the appropriate staff as well as the manager on duty.</p> <p>Chair Gibson recused himself from discussion and decision-making on this item.</p>	<p>Mr. Pacheco moved to approve the permanent increase of premises. Ms. Kusaka seconded the motion. Motion carried 5:0.</p>
Executive Session	<p>Pursuant to Hawai'i Revised Statutes §§92-4 and 92-5 (a) (2) (4), 92-9 (a) (1-4) (b), the purpose of this executive session is to receive and approve Executive Session minutes, to consider the evaluation of an officer or employee where consideration of matters affecting privacy will be involved; provided that if the individual concerned requests an open meeting, an open meeting shall be held, and to consult with the Commission's legal counsel on questions and issues pertaining to the Commission's powers, duties, privileges, immunities, and liabilities as they may relate to this item, deliberate and take such action as appropriate.</p> <p><u>ANNUAL JOB PERFORMANCE REVIEW OF THE DIRECTOR</u></p>	
Return to Open Session	<p>Ratify actions taken in Executive Session.</p>	<p>The meeting resumed in open session at 4:31 p.m.</p> <p>Ms. Akita moved to ratify actions taken in</p>

	Director Rapozo returned to the meeting at 4:33 p.m.	executive session. Ms. Kusaka seconded the motion. Motion carried 6:0.
<b>Announcements</b>	<p>Mr. Rapozo informed the Commission about two bills that are moving through the Legislative Session that they are closely monitoring. He said one would require each Commissioner on the Liquor Control Commission to an annual criminal history check. He said no other Board or Commission would be required to undergo background checks. The other bill is regarding the IRS tax clearance; Hawai'i is one of a few states that require a Federal tax clearance. The applicants or renewals require a face-to-face appointment at their office on O'ahu. He said there is no IRS office on island and it is difficult to communicate with them. Unfortunately the applicant is not notified ahead of time of any discrepancies in the application and what happens is they are not given an IRS tax clearance and liquor licenses have expired. Mr. Pacheco thanked Mr. Rapozo for keeping the Commission informed and bringing these types of bills to their attention. Ms. Akita expressed her appreciation on reading about the industry highlights and updates. She said it gave her a greater perspective and broadened her knowledge.</p> <p>Next Scheduled Meeting: Thursday, February 15, 2018 – 4:00 pm, Mo'ikeha Building, Meeting Room #3.</p>	
<b>Adjournment</b>		Chair Gibson adjourned the meeting at 4:42 p.m.

Submitted by: \_\_\_\_\_  
Cherisse Zaima, Private Secretary

Reviewed and Approved by: \_\_\_\_\_  
William Gibson, Chair